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" I feel extremely hurt that the *indiscreet* language of the Learned Gentleman (MR. BROUGHAM) " should go out to the public, as bidding the army look up to MR. COBBETT for redress, instead of their " own Officers."—SIR GEORGE WARRENDER'S Speech in the House of Commons, 6th March, 1812.

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## FLOGGING SOLDIERS.

This subject, which, to some persons, is as frightful as the ghost of a murdered man is to the murderer, is not yet done with. There were people, who seemed to think, that after the consequences *to me* of complaining of this punishment, the whole world would be hushed upon the subject. Still, however, it is alive, and, what is more, the principles, for which I contended, are daily gaining ground. On the 6th instant, in a Committee of the whole House of Commons, on the annual Mutiny Bill, MR. BROUGHAM took occasion to make some remarks upon the punishment of FLOGGING, and to put in his protest against the longer existence of it, as he was not likely to be present at the discussion of the motion, which he understood was to be made upon the subject by Sir Francis Burdett.

In speaking of the subject of FLOGGING SOLDIERS, it occurred to Mr. Brougham to speak of me; as, indeed, what could be more natural. My name must, of course, as far as relates to public matters, always, in future, awaken the idea of FLOGGING SOLDIERS, and also the idea of GERMAN MERCENARIES. It was not, therefore, at all surprizing, that Mr. Brougham should mention my name, at the time that he was protesting against the practice of flogging our soldiers. But, it seems, that his doing this gave great offence in the Honourable House; and that it went so far as to sensibly affect the feelings of SIR GEORGE WARRENDER, the report of whose speech (as given in the Morning Chronicle) I have taken for my motto. To know what it really was that produced this effect upon the feelings of Sir George Warrender, we must see all that Mr. Brougham said, and also what was said in answer to him by other persons. I shall, therefore, here insert the debate, which is short and pithy, and then I shall make such remarks upon it as seem to me likely to be useful.

" MR. BROUGHAM said, that as it was not " probable he should be present to take " any part in the discussion which was " soon to take place upon the subject of " military punishments, he begged leave " to take that opportunity of entering his " solemn protest against the practice of " punishment by flogging. As a punish- " ment, it was absurd and inconsistent with " every end of punishment—it was equally " incompetent to reform the culprit, or to " deter others. The greater part of the " leading military authorities of the coun- " try had all been unanimous in condemn- " ing the practice. Sir Robert Wilson, " General Stewart, General Money, and a " variety of others, the most experienced " and distinguished Officers in the service, " had employed all their talents and in- " fluence to root out the practice from the " army. It had its principle in torture, " and therefore must always be most ob- " jectionable, for two reasons. The first, " that it could not fail to turn the feelings " of the people witnessing the horrid spec- " tacle, in favour of the sufferer, however " criminal; and next, that it had a direct " and inevitable tendency to brutalize the " people habituated to the practice of it. " In stating this, he mentioned nothing " but what had been already stated. His " object, however, at the present was, rather " to enter his protest generally against " the practice, than to enter then into any " argumentative view of the question. " There was another point to which he " wished to advert before he sat down. " There was, he believed, no clause in the " present act, limiting the power of the " Crown as to the enlistment of foreign " troops. No one could read the Conven- " tion Act without seeing and admiring the " jealous precaution of our ancestors at the " time of the Revolution, who would not " suffer any denizen, not even a natura- " lized alien, to hold any place of trust or " influence under the Crown. It would " be well to see something like the same " spirit more active now than it appeared

M



" to be, now when foreigners were not only  
 " finding their way into regiments, but  
 " into commissions and commands; even  
 " the 10th Light Dragoons, *the Prince's*  
 " *Own*, hitherto made up of English sub-  
 " jects, was now filling with foreigners of  
 " every description. This once English  
 " corps might now be said to have been  
 " *Germanized*. Germans of all descrip-  
 " tions—Germans who were prisoners of  
 " war, had been seduced from their alle-  
 " giance to their native country, and pre-  
 " vailed upon to enter into the Prince's  
 " *Own*. He had authority for stating that  
 " foreigners, to the number of fifty and  
 " sixty at a time, have been enlisted in  
 " this very regiment, the 10th Light Dra-  
 " goons. He asked if this was decent at a  
 " time when there was known to be pre-  
 " valent throughout the country so sore a  
 " feeling and jealousy upon this topic?  
 " He complained also of the sending 149  
 " men from the hulks into one regiment at  
 " Jersey, one of the best disciplined and  
 " most morally conducted in the service.  
 " It had been said, that for men from the  
 " hulks they were well conducted; but  
 " was it a favour to any regiment to have  
 " even the pick and choose of the hulks—  
 " to have attached to them a *corps d'elite*  
 " of condemned culprits and felons? The  
 " men originally belonging to the regiment  
 " were feelingly described by their Com-  
 " mander as coming to him with broken  
 " hearts to complain of and deplore the  
 " miserable and disgraceful association  
 " into which they had so undeservedly  
 " fallen. The Honourable Gentleman in  
 " concluding, repeated his protest against  
 " the flogging system, which he repro-  
 " bated as most impolitic, sanguinary and  
 " barbarous.

" MR. MANNERS SUTTON said he should  
 " not then enter into the question of the  
 " necessity or impolicy of corporal punish-  
 " ment—but he should distinctly state that  
 " it had not entered into his contempla-  
 " tion to introduce a clause into the pre-  
 " sent Bill for the total abolition of  
 " flogging—(*Hear, hear!*)—He thought  
 " it impracticable to abolish it altoge-  
 " ther—what had been already done  
 " by the clause introduced into the  
 " Mutiny Act last year, had succeeded  
 " considerably in making the practice less  
 " general—(*Hear!*)—of which he would  
 " give to the House a conclusive proof.  
 " From January 1811, to December 1811,  
 " both inclusive, there had been but eight  
 " sentences for flogging by general courts

" martial, and what was still more remark-  
 " able was, that of those eight, but one  
 " had occurred since March, the time at  
 " which the clause passed, and the other  
 " seven had taken place in the months pre-  
 " ceding March, and of the whole eight  
 " but one had been inflicted—(*Hear,*  
 " *hear!*)—and that one had been offered  
 " to be commuted for general service, and  
 " was refused, the man preferring to un-  
 " dergo the 700 lashes rather than so com-  
 " mute. But he should be glad to know,  
 " what gentlemen would substitute in place  
 " of flogging?—(*Hear!*)—Imprisonment  
 " had been spoken of, but how could im-  
 " prisonment be resorted to on actual ser-  
 " vice? Within the period he had just  
 " stated, where there were but eight sen-  
 " tences here, there had been no less than  
 " 40 undergone in Portugal. He wished  
 " Gentlemen would look at such questions  
 " practically, before they amused them-  
 " selves with launching out into invectives  
 " against a mode of punishment which  
 " could not, he believed, be totally abo-  
 " lished without endangering the general  
 " discipline of the army. He thought that  
 " the strong terms of 'barbarous and san-  
 " guinary torture,' should not have been  
 " so wantonly applied—they might do  
 " much mischief, and could be productive  
 " of no good.

" COLONEL DUCKET said, that almost  
 " every Commanding Officer he ever  
 " heard give an opinion on the subject,  
 " thought that mode of punishment essen-  
 " tially necessary to sustain the discipline  
 " of the army.

" COLONEL DILLON thought that Colonial  
 " Service might be advantageously substi-  
 " tuted in the place of flogging.

" MR. BROUGHAM said, that he never  
 " meant that if flogging was abolished, no  
 " punishment at all should be substituted  
 " in its place. He never meant to hold  
 " out such a bribe to mutiny and disorder;  
 " —Far from it. It was not the degree,  
 " but the kind of severity he reprobated.  
 " For instance, instead of running the risk  
 " of brutalizing a whole regiment, by wit-  
 " nessing the spectacle of a wretch gra-  
 " dually sinking under the tedious torture  
 " of a thousand lashes, who had been  
 " guilty of mutiny, he would shoot him  
 " at once. And as for crimes not worthy  
 " death, could there not be devised a  
 " variety of ways of punishing a soldier,  
 " even upon actual service?—He had  
 " been accused of speaking against this  
 " odious system, in terms of unwarrantable



"invective." His language might have been too strong for the delicacy of some Gentlemen; but had it been stronger, it must have been too weak to express his abhorrence of this mode of punishment. But the Honourable and Learned Gentleman had lamented the general animadversions without doors, that had been made upon this system.—And what was the answer the Learned Gentleman himself gave to his own lamentations?—Why, that in the last year this barbarous practice had decreased to eight within the whole year, and but one of those inflicted! Now (said Mr. Brougham), I contend that this is a distinctly deducible consequence from those very animadversions (*hear, hear!*) The press without called the attention of the public to, and fixed it immovably upon, this flagrant system of punishment. The public feeling had, at length, as it always must have, sooner or later, its influence within these walls; and accordingly the first step towards the utter abolition of this odious punishment was made, in the introduction of the clause of last year, into the Mutiny Bill. Such, Sir, was the work of a free press; and I cannot but sincerely lament that those who were bold and honest enough to begin this battle in the cause of humanity—that those who fought the good fight, and won an inestimable victory in that great cause—that Mr. Cobbett and Mr. Drakard should now be immured within a prison. Gentlemen smile, no doubt with disdain, at the guilty familiarity of citing before their grave authority individuals comparatively so obscure. I admit them to be so; and all I wish those Gentlemen is, that their zeal for truth and their country, may never place them where less prudential patriotism has placed their less fortunate fellow subjects (*a laugh*). I say, therefore, that the animadversions of an honest press have produced this change in the practice of military flogging, so triumphantly stated by the Learned Judge Advocate; and that the Legislature had been obliged, with respect to this question, to act upon the very principles of Mr. Cobbett, who is now in gaol for his unseasonable declaration of them. It is now, I rejoice to find, in the hands of my Worthy Friend, the Member for Westminster (sir F. Burdett), and backed by his talents, it would be criminal to despair of its ultimate success.

"MR. MANNERS SUTTON repeated that those public animadversions upon military punishment had been, to his knowledge, gross exaggerations, and as for the happy abatement in the practice of flogging, he could not help thinking, notwithstanding the Learned Gentleman's vehement declamation, that that change was at least to be as fairly attributed to the judicious and meritorious discretion of the gallant Officers who sat on the respective General Courts Martial as to the great patriotism or high public spirit of even Mr. Cobbett himself! (*Hear, hear!*)

"SIR GEORGE WARRANDER felt extremely hurt that the indiscreet language of the Learned Gentleman should go out to the public, as bidding the army look up to Mr. Cobbett for redress instead of their own Officers. (*Hear, hear!*)

"LORD PALMERSTONE could not understand how the substitution of death for flogging was rendering the military code less sanguinary than it was at present represented to be.

"GENERAL TARLETON strongly censured the idea of bidding the army of the country look up to Mr. Cobbett and receive their instructions from him, as if he could know more of military matters than those who have spent their lives in the service."

With regard to the *Germanizing* of our army, I shall have to say enough about them by-and-by. I must here go on with the FLOGGING, or, rather, what was said about *myself* as connected with this subject, the subject of flogging itself I shall reserve 'till it has been discussed in the House, as it probably will be even before this will find its way from the press.

First, however, I must notice what Mr. SUTTON said about the number of men flogged in the last year. Only *eight*, he says, in all the kingdom. Only eight sentences for flogging in the whole year, and only *one* since the passing of the Mutiny Act with the *new Clause*, in March 1811; so that, really, it would appear from this statement, that the FLOGGING OF SOLDIERS is at an end, in fact, though not in form; and, that there merely wants a clause in the new Act formally to abolish it for ever. But, Mr. Sutton spoke only of the sentences passed by GENERAL Courts Martial! He said not a word about the sentences passed by REGIMENTAL



Courts Martial, at which I myself have very often seen *three subaltern officers*, the oldest, perhaps, not above thirty years of age, pass very heavy sentences of flogging. GENERAL Courts Martial are very rarely indeed assembled to try non-commissioned officers and private soldiers. Indeed, this is a case that hardly ever happens; and, I dare say, that there were only eight of these Courts Martial during the last year. To give us an idea of the extent of the punishment in question, we should have laid before us an account of all the floggings in every particular corps. If we had that for the two last years, we should be able to form a judgment of the effect produced by the *last year's clause*, of the virtues of which Mr. Sutton says so much.

This *Clause* ought to be, however, better understood than it generally is. It was, last year, for the first time, introduced into the Mutiny Act; and, what did it do? Why, it *authorized* Courts Martial to punish by *imprisonment* instead of by *flogging*, whenever *they pleased to do so!* This was not giving them any authority at all; they possessed it before. This was enacting *nothing new*. It neither extended the power of shewing mercy, nor contracted that of exercising severity. In short it was nothing more than a *hint* to Courts Martial to be more sparing of the lash. This is what it was; and, I have no doubt, that it was a hint that produced some effect. MR. SUTTON boasted much of this effect. He said, that the clause had succeeded considerably by making the practice *less general*; and then he gave the proof of this in the number of sentences as above-mentioned.

At any rate, here is, even from the mouths of the government themselves, an acknowledgment, that it is a *good thing* to make the practice of flogging *less general*. This they have now distinctly avowed, that it is desirable to narrow this practice; and they boast of having, in some degree, succeeded by the means of a clause in the last year's Mutiny Act. Now, then, said Mr. Brougham, if this be the case, or, as far as the good has gone, it is to be attributed to the *press*; and, that, while those who were honest and bold enough to begin this battle in the cause of humanity; while those who fought the good fight and won an inestimable victory in that great cause; while Mr. Drakard and I were shut up in a prison, the government were boasting of the success of a measure founded upon our principles. He added, that "the

"legislature had been obliged with respect to this question, to act upon the very principles of Mr. Cobbett, who was now in jail for his unseasonable declaration of them."

This seems to have given great offence to several members of the Honourable House, who observed, that the Soldiers ought to be taught to thank THEIR OFFICERS for the measure in question, and NOT MR. COBBETT! Oh, dear, no! That would be a sad thing! It would be a shocking thing if the Soldiers were to look to ME for redress; especially after my being sent to a felon's jail, which, of course, was to mark me out for a man to be shunned, rather than looked up to. The truth is, that this merit of having been the *beginner* of the battle in the cause of the soldiers does not belong to me. It belongs to Sir FRANCIS BURDETT, who protested against flogging the Local Militia, at the time when the Bill for raising that force was under discussion, and who, long previous to that, made an express motion, which, I think, was seconded by Lord Folkestone, for a return to be laid before the House of the FLOGGINGS that had taken place within the then foregoing year; and this he distinctly stated to be preparatory to a proposition for the entire abolition of the punishment. This was more than *five years ago*. Here, therefore, was the *beginning*; and, to Sir Francis Burdett, therefore, if to any body, the soldiers might be told to look, as the author of any good that they may have derived from the new Clause in the last year's Mutiny Act.

Nevertheless, I have, all along, borne my part. I have, from about the same time, that Sir Francis Burdett first took up the subject, done all that I have been able to do; and, it must be confessed, that the Legislative *hint* to Courts Martial was not given till after the interest which was necessarily excited by my trial and the sentence passed upon me. MR. SUTTON is reported to have said, that, "the change" was, at least, as fairly to be attributed "to the *judicious* and *meritorious discretion* of the gallant officers who sat on the respective General Courts Martial as to the *great patriotism* or *high public spirit* of Mr. Cobbett himself." As to these closing words, either they were spoken in earnest or in the way of a sneer. If the former, they do not help Mr. Sutton's argument; if the latter, they discover a degree of mortification that might almost



excite one's pity. But, what is the notion that Mr. Sutton here has it in view to inculcate? Why this: that the change, which has taken place, namely, the diminution in the quantity of flogging, is to be attributed to the *Officers composing Courts Martial*, and not to any exertions of mine. I have before clearly stated, that the part which I have acted has been very humble indeed compared to that of Sir Francis Burdett. I, therefore, do not attempt to take any great merit to *myself*; but, little as my share of the merit may be, I am not at all afraid to see it compared with that of the Officers composing Courts Martial. These gentlemen may all be, for aught I know, very *judicious, meritorious, and discreet*; but, as to the *diminution of flogging*, if it is to be ascribed to *their discretion*, how comes it not to have *taken place sooner*? These officers have, doubtless, always been as discreet, or nearly so, as they are *now*; and, therefore, we may be permitted to express some surprise, that their discretion should never have produced this salutary effect *before*. Indeed, we may, I hope, venture, without danger to liberty or property, to ask, why, if this *discretion* was so powerful, it was thought necessary to introduce the Clause of last year into the Mutiny Act? This is a question which Mr. Sutton would not find it easy to answer; for, it seems to me, as it will, I believe, to every body else, that, if the discretion of the Officers composing Courts Martial had been thought sufficient by parliament, there would have required an uncommon degree of ingenuity to make appear the utility of the new Clause. Indeed, it is quite wonderful to hear Mr. Sutton boasting, in one breath, of the effect of his parliamentary enactment, and, in the next, attributing that same effect to the discretion of the persons whose decisions that enactment was intended to influence.

Either the last year's new Clause has produced a good effect, or it has not; if the latter, there is no ground for boasting about it, and the lot of the soldier is just what it was before; if the former, I think, that no one will deny, that the good has been produced, in great part, by the exertions of the *press*, of which exertions I may claim, I think, my full share. The subject had, as I have before observed, been stirred, upon several occasions, since the beginning of the present war; but, it never came fully before the public; their attention was never so powerfully drawn towards it, as in the middle of the year

1810, when I was tried and sentenced. These transactions excited great interest; they gave rise to discussion; and discussion, *if unshackled*, always ends in favour of truth and justice. The subject got a fresh stirring in the prosecution of MR. DRAKARD, which arose out of my prosecution; and, it was *after all this*, that the Clause, of which Mr. Sutton boasts so much, was introduced into the Mutiny Act. Let the reader judge, then, whether the diminution of flogging is to be attributed to the Officers composing Courts Martial as fairly as it is to me.

SIR GEORGE WARRENDER, in the words which I have taken for my motto, describes Mr. Brougham as bidding the army LOOK TO ME for redress instead of looking to THEIR OWN OFFICERS. Why, really, I do not see why this should hurt the gentleman's feelings so much. What harm could it do? What could the public or the soldiers learn from any speech of Mr. Brougham more about me than they know already? They all know very well what I am in jail for; they well remember what I said about an account which the ministerial prints published about the English Local Militia being reduced to submit to be flogged by calling in the aid of German troops; they well remember, that my crime consisted of having written and published upon this subject; and they all well remember what I was sentenced to suffer for this crime. I underwent a public trial; the Attorney General had the making of *three separate speeches* against me; one Judge made a speech in charge to the Jury; another Judge made a speech in sentencing. The news-papers were kept full of *me and my crime* for the best part of a month; from the news-papers I and my crime got into the *caricature* shops; and, in short, while in jail myself, all those (and very numerous they were) who were in hopes that I was gone to my last home, used every means in their power to blacken my character.

Now, all this being notoriously true; it being known to every creature in the kingdom, is it not a little whimsical, that a member of the Honourable House should think it worth his while to protest against language that may go out to the public, as *bidding the army look to me for redress instead of their officers*; to ME, who am in a jail, with such a thumping sentence upon my head? But, there is, in all the protests of this sort, something, which, to me,



always appears to convey a very degrading opinion of the parties to whom the dangerous language is supposed to be addressed. As if, in the present instance, the soldiers had *no judgment of their own*; as if they had neither reason nor feeling, and were to be made to believe any thing that might be told them, especially if uttered in the Houses of Parliament; as if they were, by a sentence or two from Mr. Brougham, to be induced to take their looks off from their officers and to turn them towards me for redress, me, whom they have never seen, whom they know to have possessed power insufficient to keep myself out of jail, and whom they have seen described as every thing that is base and contemptible. Surely, Sir George Warrender might have trusted, in such a case, to the understanding of the army! He might surely have confided in their taste not to look up to me instead of *their officers*, especially after the repeated assurances of Sir Vicary Gibbs, that the army *despised* such writings as mine, and held their authors in abhorrence. After this, I think Sir George Warrender might have spared any expression of the wound given to his feelings at hearing language that tended to induce the army to *look up to me* instead of looking up to their own officers for redress. "*Indiscreet language!*" As if the subject had been all *tinder*; as if there had been imminent danger in even naming me, lest the soldiers should hear, or see, my name! Really, though sitting here in a jail, I can hardly help laughing at the idea.

GENERAL TARLETON, too, did, it seems, "*strongly censure the idea of bidding the "army of the country look up to Mr. "Cobbett and receive their instructions "from him, as if he could know more of "military matters, than those who have "spent their lives in the service."* Not more than those, perhaps, who have spent their lives in the *service*, but certainly a great deal more than many of those, who have spent their lives in *pay*. I was eight years of my life amongst soldiers, 24 hours in the day, for 365 days in each year; and how many are there, who have received *pay* for 30 or 40 years, and have not been in real service not one half, no nor one eighth part, of the time that I was? Nothing is easier than for a man to *spend his life in the service* and to know very little about that service. But, what is there in the subject before us, that demands any *experience in military matters*? Flogging

is no *military matter*. If, indeed, the question were, whether it would be best to arm men with swords or with muskets; or whether they should be taught to move in close or in open order: if it were some question of this sort, or of any sort exclusively appertaining to the military profession, then it would be presumption in any man, unacquainted with that profession, to take upon him to judge and decide. But, when the question is merely a question of humanity; when it relates solely to the inflicting of bodily pain; when the parties on whom that pain is inflicted are not only our fellow men, but our countrymen, our kindred, our brothers, our sons, our own flesh and blood; surely, when such is the nature of the question, it requires no knowledge of *military matters* to justify any one in offering his opinion upon it, and in urging that opinion with all the force of which he is master. If we were to subscribe to this doctrine of General Tarleton, what would be the lot of the soldier? No man, not a military officer, must ever open his lips respecting his treatment. See to what this leads. Military officers must pass all the laws for the governing of soldiers; and, with all our present militias and forces of one sort or another, officers appointed by the King, and removable at his pleasure, would, at all times, have absolute sway over nearly one half of the able-bodied men in the whole country. The soldiers are in a pretty state indeed if no man out of uniform must give his opinion respecting their treatment. If they rob upon the high-way, or steal a horse or a sheep, there is somebody out of uniform to hang them; and, if any man has any thing to offer concerning any law to which they are amenable, what, in the name of common sense, is to prevent him from offering it? And, if there be *danger* in this, what a state are we in altogether?

But, in GENERAL TARLETON'S "*strong censure*" there is something incomprehensible. He censured the idea of bidding the army look up to me for instructions, because I could know, as he seems to have supposed, nothing about military matters. Now, supposing the matter in question to have been a "*military matter*," why did he pass a "*strong censure*" on Mr. Brougham? The "*army of the country*," as he called the Soldiers, if they did look up to me for instructions at the instigation of Mr. Brougham, would if the General is right about my inexperience, find me



an ignorant man, and would of course laugh at me and Mr. Brougham too. Therefore, though the observations of Mr. Brougham might have called forth a smile, they, certainly, upon the General's own principle, did not call for such "strong censure," as we are told he thought it consistent to bestow upon them. There is, however, in all this, something reserved; there is a strange mixture of apprehension and of contempt; a mixture of smiles and of grinding the teeth. There is something very appropriate in the *means* that were used to *prevent* what was supposed to be the tendency of Mr. Brougham's language. He is represented as *bidding the soldiers look up to me for redress*. This is strongly censured by one member, and it wounds the feelings of another. Well, what are the means used to prevent the soldiers from looking up to me for redress? Why, the soldiers are *bidden not to look up to me for redress*, but to look up to *their own officers* for it! To be sure; what short of this could be done in such a case? I really wonder, that some of these gentlemen, in the height of their indignation at the idea of the soldiers looking up to me, had not proposed a *clause* in the way of prevention. That, indeed, would have been to do the thing effectually!

I shall return to this subject hereafter; for, I am fully convinced, that there is none of more, nor, indeed, of so much importance, at this moment, and certainly none more proper for free discussion. If there were only 1,000 of our countrymen in arms, it would become us to feel and to express a deep interest in their happiness and honour; what must it be, then, when there are more than half a million of them subjected to martial law? And, why should the press be silent about them any more than about men in grey coats? For my own part, if I were to choose amongst the different classes of society, I should say, that, on every account, the soldiers were best entitled to all the kindness and protection that the press can afford them; and so, I am certain, every man will say, who duly considers the hardships which they are destined, by the very nature of their calling, to endure. If we have seen the soldiers upon the continent indifferent to the fate of their country, where are we to look for the reason, except in the indifference which their country have shown towards them? The infamous doctrine preached last winter, in the venal prints, that the soldier was

placed out of the pale of the constitution, we no longer hear openly avowed. It was too abominable to be tolerated for any length of time; and, I feel very confident, that the sort of punishment, of which so much has now been said, will not long have a single advocate. It will then be wholly abolished; we shall see it and hear of it no more; the country will feel the benefit; it will not signify a straw to whom the merit of the salutary change shall belong; but, one thing I will venture to predict, and that is, that he, to whom that merit will really be due, will never be heard to put forward any claim to it.

### GERMAN TROOPS.

Next in importance to the above subject, I deem that of employing *foreign troops*, and more especially *Germans*. This, too, is now attracting attention; and, certainly, it is high time that it should, unless we are come to the pass of abandoning all the principles of government, which, for ages, have been cherished in this country. On the 10th instant a very interesting debate took place in the House of Commons, upon motion of Lord Viscount Folkestone for a return of the *Foreigners now serving in English regiments*. Some facts and arguments came forth in this debate, well worthy of the strictest attention. The real state of the case has been hitherto enveloped in a sort of mystery. The subject, owing to the base subserviency of the press, and also to the *muzzled* situation of the OUT party, has been looked upon as a sort of forbidden ground. Scarcely any one but myself said a word about the matter, and, certainly, my fate did not hold out much encouragement to others to follow my example. Besides this, the impoverishment of the little gentry of the country has created such a crowd of wretched candidates for military commissions, that men were found ready to stoop their necks under the command of German Officers. So that, there seemed, at last, to be no hope of seeing the public attention awakened to what, in former times, would have stirred the most sluggish blood in the kingdom.

At last, however, the matter is before the House of Commons, and will now become pretty well understood. I have inserted below the whole of the Debate, according to the fullest report that I have been able to find. I do this, because I



would not expose myself to a charge of misrepresentation upon a subject which I am well known to have so much at heart; and also, because I am quite satisfied, that the time is not distant, when it will be deemed of importance to be able to refer to the very words, if possible, which any man shall have uttered relating to the employment of these Troops.

Lord Folkestone did not, upon this occasion, enter much upon the subject of employing Foreign Troops *generally*, but complained, FIRST, of foreigners being put as *Officers in English regiments*; SECOND, of their being employed as *officers on the staff in this country*; and, THIRD, of their being enlisted as *soldiers in English regiments, even in preference to natives*. I shall notice each of these points in due order.

As to the first, the appointing of Germans to be officers in English regiments, his Lordship complained of it as a gross insult to Englishmen, and also as a violation of law. He wished to get at the number of Officers thus appointed; he wished to have a return, in which the people of England might see to what extent the native soldiers were put under the command of these Germans. He mentioned one particular and very striking instance, namely, the appointment of a Mr. QUENTIN to be a *Lieutenant Colonel of the Prince of Wales's own regiment, the 10th Light Dragoons*. This was, indeed, well worthy of attention; for, this man is, in fact, the head Commander of that regiment, because, as every one must well know, the Prince himself is never present with the regiment, and, of course, cannot command it. In answer to this particular subject of complaint, COLONEL PALMER, who is the *other* Lieut. Colonel of the Prince's regiment (for there are two), is reported to have passed a high eulogium upon his colleague, stating him to be a *meritorious officer*, and that he had introduced *great improvements in the art of riding*. To this Sir FRANCIS BURDETT replied, that he supposed, that these talents of *riding master* might have been obtained from this German without giving him the command of Englishmen. And, indeed, who can believe otherwise? The *value* of tricks and capers and showy movements in horsemanship is very questionable; but, if there be any value in them, does the reader believe, that they might not be obtained at *Astley's* in as great perfection as from this QUENTIN?

Quentin is, too, let it be observed, senior in command to Colonel Palmer. He is Colonel Palmer's *superior* officer. He can order him to do what he pleases. He is, in short, his immediate *commander*; and, when we add to this consideration, the fact, that it *must* have been the *Prince* who chose Quentin, we shall not be likely to form an erroneous judgment upon the whole, or any part, of this case. To be sure, one cannot help admiring the subordination, the truly military subordination, evinced in the conduct of Colonel Palmer, who not only serves under this German, but who really seems to have sought an opportunity of proclaiming the fact to the country, and of paying his court to the German and his patrons by eulogizing the qualities of the former, and, of course, by justifying the choice of the latter. The Prince's regiment wear *Whiskers*, and have, in all respects, I believe, a German dress. I wonder whether Colonel Palmer himself wears *whiskers*? To be sure he is the best judge of his own capacity; but, I should have thought him full as fit to command a regiment of horse as the German. At any rate, if Colonel Palmer be conscious of his own inferiority to this German, it does not follow that no other Englishman was to be found of superior pretensions. We have a *half pay* list, which costs us about 200,000*l.* a year, which at 3*s.* a day for each officer, which is about the average of the half pay, makes the number of half pay officers amount to nearly 4,000! And, in a list like this (a little army, really!) is it to be believed, that men as good as this German were not to be found? There are hundreds and hundreds of English officers, of all ranks, begging to be put upon service. This is notorious; and, while this is the case, we see these men receiving half pay for doing nothing, and Germans brought in to fill the posts which our own officers are so desirous of filling. There is an objection to the employment of these people in this way, which I shall mention by-and-by, as it applies equally to the three heads of complaint.

The SECOND head of complaint, namely, the employing of Germans *on the Staff in this country*, brought forth some interesting matter. Lord Folkestone stated, that, in several instances, German Officers had been employed on the Staff in England. He mentioned BARON ROTTENBURGH and his AID DE CAMP, who had commands on the Staff in England,



and who were now in Canada. He also mentioned BARON LINSINGEN, who is now in the Eastern District, stationed, I believe, in the town of *Ipswich*, whence an address was sent to the Regent, *thanking him for re-appointing the Duke of York*. He noticed other instances, and, in his speech in reply, he observed, that one of the German Officers, who had had a Staff command in Ireland, was the very person, he believed, who negotiated with the French General that disgraceful capitulation, by which Hanover was, without a single blow, surrendered to the enemy. This last is a very curious fact. I regret that Lord Folkestone did not *name* this person; for, in such cases it is impossible to be too particular. We should have had the name of the man, who, after having been the immediate instrument of the surrender of Hanover, had been selected by our government to have the command of a district in this kingdom, and, of course, to have under him several native corps, many native officers, and even some native generals. We should have had the *name* of this man. If this fact be correct (and Lord Folkestone is not apt to deal in loose reports) it is one that ought to be fully investigated. What! the very man, who was the instrument in surrendering Hanover without a blow; the very man who negotiated that convention by which that country and the people were given up to the mercy of the French, and by which the Hanoverian army bargained that the French should make the people pay them for some time *after* they had laid down their arms; that man, that very man, appointed to command a district in this kingdom! Pray, my lord, let us have the *name* of this man!

—With respect to BARON ROTTENBURGH, nothing was said in answer to Lord Folkestone. Indeed, nothing could be said; for the fact was notorious; and, unless the intention of putting Germans over us was openly avowed, it was impossible to offer any thing in the way of justification.—For the employing of BARON LINSINGEN upon the Staff in the Eastern District, Lord Palmerston, the Secretary at War, made an excuse in this way: he said, that the Baron had only the *superintendence of a Depot*. How long has this been the case? Lord Folkestone said, that the Baron was now, or had been, one of the Generals on the staff in that District. In the Army List for February 1812, published by authority, the generals *on the Staff*, commanding in the Eastern District of England, stand thus:

Lieut. General.....Lord Chatham.  
Lieut. General.....Baron Linsingen.  
Lieut. General.....H. T. Maitland.  
Major General.....Williams.  
Major General.....W. Roberts.  
Major General.....Hon. W. Stewart.  
Major General.....Montgomerie.  
Major General.....Acland.  
Major General.....Hawker.

Here, then, we see the German Baron *second in command* of a whole district of England, consisting of *five Counties*, and having no less than *seven English Generals* under him. But, Lord Palmerston says the Baron has only the superintendence of a depot. No, my lord? How comes it, then, that he has an *aide de camp*? He has one, and that one is a Captain *Linsingen* too, and, of course, they are both *paid as upon the staff*, besides their regimental pay. If Lord Chatham is, at any time, absent, does not Linsingen take the command? To be sure he does, else why is he placed *second in command* in the Eastern District. This is the way in which his name has been published to the people of England for the last three or four years. What! Has this Army List no meaning? Or is it a List of falsehoods? But, to come to the point, Lord Chatham, I mean John Earl of Chatham (to use the Marlborough phrase), was, as we all well know, absent from his command in the summer of 1809, and, I assert, that BARON LINSINGEN commanded all the troops in the District during that absence; that all reports were made to him; that he *reviewed the regiments*; and, in short, that he took the place of Lord Chatham, in every respect, as Commander in Chief of that District. This I distinctly assert upon the authority of those who served in the District during the time referred to, who were reviewed by Linsingen, and who saw the Order of Lord Chatham putting the District under the German Baron's command. That *review*! Oh, how that review stuck in the stomach of one gentleman that I knew! To be sure, it was a thing to feel; an English gentleman in a Regiment of Militia reviewed, that is to say, *examined as to fitness for battle, approved of or disapproved of*, by a Hanoverian! This was a thing to feel; but, then, the feeling was not a feeling to be *smothered* by an English Gentleman.

The THIRD subject of complaint, that is, the *enlistment of foreigners in our own regiments*, brought to light this very curious fact; that, while many of our regiments



were enlisting Germans, even out of the prisons, and especially the Prince of Wales's own Regiment, the 10th Light Dragoons, while this was going on, there was an order existing in this very regiment, NOT TO ENLIST ANY IRISHMEN! —

When you have taken time to swell, reader; when you have collected yourself again, hear the story out. Colonel PALMER, who had stood forward as the champion of the appointment of his German colleague, *Quentin*, was called upon by Mr. Bennet to say, "*why foreigners were taken into the 10th regiment in preference to Irishmen?*" "Is," said Mr. Bennet, "such an indignity to be put upon the Irish people, that they are to be considered as unfit to serve their country? This is, really, something beyond human patience to bear." —

Colonel PALMER is said, by the reporters, to have answered in a very low tone of voice. And well he might, finding it necessary, as he appears to have done, to apologize for the regulation complained of. He said, that the reason for the regulation was, that *the Irish were so much given to desert*, and it was so difficult to catch them again. His expressions having been mis-stated in one of the reports in the newspapers, where he was made to say, that great numbers of the Irish *deserted to the enemy*, he, the next day, in his place made an explanation, of which the following is the fullest report that I have been able to find. I take it from the Morning Chronicle, and I beg leave to solicit the reader's attention to every word of it, as I cannot help looking upon it as relating to a matter, which will not and which cannot remain long without producing something or other in the way of remedy. His words, as reported, were these: "Col. Palmer stated his anxiety to correct a misrepresentation he was sorry to have seen in the Papers; of what he was reported to have stated in answer to the assertion, that an order had been issued to his Royal Highness the Prince Regent's regiment to exclude the admission of Irishmen. Being aware that there were some grounds for such statement, he did not at the time take on himself to contradict fully; but that he was now enabled to state, from the highest authority, that no order of the kind had ever been issued. He admitted that the recruiting officers had received instructions from the Commanding Officer, Colonel *Quentin*, to enlist Englishmen in preference to Irish, and if

any blame was to be attached to him for this, he begged, as far as his own opinion went of the propriety, to take his share. That he had not stated, as reported, that his objection had been on account of the Irish deserting to the enemy; on the contrary, no one was more convinced than himself, in common, he believed, with every other British officer, of the loyalty, courage, and fidelity of the Irish. What he did state was, that the description of Irish they met with in this country were liable to desert, which was a reason for objecting to them; and to prove that his regiment entertained no national prejudice, they objected, in the same manner, to various classes of their own countrymen; to all Londoners and inhabitants of manufacturing towns, and confined their recruits to that class of persons brought up to agricultural pursuits; for they found that Irishmen, and those of their own country who were not in early life accustomed to the care of horses, made bad grooms; and thought the best infantry were objectionable, as cavalry. He therefore trusted, these reasons would clear his regiment of all suspicion of the motive which had been attributed to it; and he would add, that this system was not confined (as had been stated) to his own regiment and the 15th, but that it was pursued by every English cavalry regiment in the service. He would only add, to prove that he never objected to Irishmen who were well recommended, and still less that he preferred foreigners, that the number of Irish then in the regiment exceeded that of all foreigners; and that the amount of the latter did not exceed 30 out of a complement of nearly 900. He concluded by observing, that it was an unpleasant subject, and that he should not have taken a part in the debate of last night, had he not been called upon to do justice to a brother Officer, than whom he believed there was not a more deserving in the service, and to whom that credit for its appearance and discipline, which he trusted was not unworthily bestowed on the regiment, was due." — Bless us! What, were you compelled to give all the praise to your German superior! Not allowed to keep a single word for yourself! — Here are some curious points in this explanation. It was not an ORDER to the Regiment not to enlist Irishmen; it was only an INSTRUCTION to the recruiting Officers! Only that; but, pray, Colonel



Palmer, what is the *difference*? In what other way could the prohibition have been made? To have told the *regiment* any thing about the matter would have been nonsense. The effectual way to keep out the Irish was to *order* or *instruct* (it is all the same) the recruiting officers *not to enlist Irish*. To be sure; because, if they enlisted no Irish, there would be no Irish in the regiment. This is as clear as daylight.—But, then, it was not a plan for shutting out the Irish altogether: it was merely a plan for *preferring the English to the Irish*. Now what does this mean? Does it mean, that when there were two men just alike in all other respects, presented themselves, the one an Englishman and the other an Irishman, the former was to be preferred? Colonel Palmer must know, that no such case can ever have been contemplated; and, in fact, that the *instructions* permitted the officers to enlist Englishmen but *not Irishmen*; which brings the real state of the case to just what it was before.—Well, but, one of the reasons *now* is, that the Irish, who come to this country, are *bad grooms*, not having been brought up in *agricultural pursuits*. What! why the Irish who come to England have almost all of them been brought up to those very pursuits. The Colonel certainly knows little about the hardy sons of Erin, who come hither to assist us in getting in our hay and our corn, and to make our roads and canals. There are several counties in England, where the harvests could not be got in without the assistance of the Irish labourers; and this is so notorious that I am almost ashamed to state it.—That *reason* is done for, then. And what is the next? That the Irish are *liable to desert*. Are they so? Why, then, if that be a good reason, it is good for all other regiments as well as yours, and then we ought to have no Irish at all in the service. But, do not the *Germans* desert? Do you not recollect how many of them were taken out at sea in boats, going from that very coast where your regiment now is? And, certainly, going with an intent to land upon the enemy's shores? Are not Irishmen as good as these? You talk of "the loyalty, courage, and *fidelity*" of the Irish. Now, if this be their character, how is it possible, that they could have been excluded from the Prince's own regiment on account of their proneness to *desert*, which cannot take place without a known breach of an *oath of fidelity*? Accord-

ing to your explanation, the Irish are a very *faithful* people; but are liable to be guilty of *breaches of faith*! Very *faithful*, every British officer will say that, but the Prince will not enlist them, because they are apt to break their *oaths of fidelity*? These Irish must be a curious people.—Oh! but, beg pardon! It was not the Prince, it was not the *Colonel* of the regiment, who gave these instructions to the recruiting officers to enlist Englishmen in preference to Irishmen; it was the senior Lieutenant Colonel QUENTIN, the identical *German*, whom we have been before speaking of; *he* it was who gave these instructions about the Irish; *he* it was who found them liable to desert; *he* it was who fixed this mark upon a third part of the population of this kingdom. Yes, but *you* are ready to participate with him in any blame that may be attached to the act. This is very generous in you; and, you cannot blame the Irish if they take you at your word. But, did this *order*, or *instruction*, fixing such a stigma upon the Irish; did it really proceed originally from your German superior? Did it, *bonâ fide*, take its start from his brain? The regulations for enlisting into a regiment are amongst its most important concerns. I am of opinion, that it seldom happens, that a Lieutenant Colonel will take upon him to establish so important a regulation as that which we are speaking of. Surely the *Prince* must have been apprized of its existence in his regiment.—Of this more another time. A few words now about the *foreigners* in the regiment.—Colonel Palmer tells us, that there are not now above 30 in the regiment. It was observed in my last, that the *Germans* who had been enlisted from the *prisons*, after the inquiry first made by Lord Folkestone were said to have been *dismissed*. There are, however, 30 in the regiment now, it seems, and I should like to know how many of them are *non-commissioned officers*. Colonel Palmer says, that he *never has preferred* foreigners to Irishmen. What does he mean by this? He takes his share, he says, of the instructions given to the recruiting Officers, and, in those instructions, Irishmen are forbidden to be enlisted; while neither he nor any one can deny, that the regiment has, and recently too, enlisted foreigners; and, that if there be not now above a *hundred* in the regiment, the prevention is not to be attributed to the Officers commanding, but to the inquiry of Lord Folkestone upon the report of the



army estimates, when the Secretary of War confessed that there were some men who had been recently enlisted *out of the prisons into the Prince's regiment*, stating, in the way of apology, that they were *Germans*. Lord Folkestone mentioned the very number, 118. I'll venture to say, he was not far from being correct. Was not this *preferring Germans to Irishmen*? It was very natural for Mr. *Quentin* to prefer them; but, surely, Colonel Palmer, it was not so natural for *you*; and yet, you are ready to take a share in all the blame, if any, attached to this preference!—But, Colonel Palmer says, that he has never *rejected* an Irish recruit who was *well recommended*! What! Is it the custom then to get *recommendations* with men to serve in the army? Egad, this is something new. I thought, for my part, that there was a system of *kidnapping* and *substitution* and *fining* going on. How things must have changed since I was out in the world! But, come, Colonel Palmer, let us put this to the test. Did you, I pray, get *recommendations* with the Germans taken out of the Prisons? *Who* gave them their recommendations? *Who* was sponsor for them? Or, was it a sufficient recommendation, that they, though recently found in Buonaparté's pay, and though now willing to take our pay, were of the same country with Colonel *Quentin*, who did not like Irishmen because they were *liable to desert*? Besides, who was to assure you and your colleague that these Germans were *bred up to agriculture*? But, it is, really, too disgusting a topic to pursue: it is too flagrant: shame for one's country warms the cheek as the ink drops from the pen.

In my next I shall notice the arguments made use of by the Secretary of War and Mr. Perceval in justification of the measures of which Lord Folkestone complained. I shall dismiss the subject for present, with once more requesting the reader to go through the whole of the following debate.

WM. COBBETT.

State Prison, Newgate,  
Friday, 13th March, 1812.

#### FOREIGN TROOPS.

Debate, in the House of Commons, on Tuesday, the 10th of March, 1812.

LORD FOLKESTONE said, that he rose pursuant to notice, to make his motion re-

specting foreigners employed in our service. They consisted of three classes: 1st, Foreign Officers in our regiments,—2d, Privates enlisted into different corps,—and 3d, Officers appointed to the Staff. He would not say positively that more foreign troops were employed by his Majesty than could be justified by law; he could not, however, help feeling some jealousy when he recollected, that at the period of the breaking out of the war only five thousand were in our service, though the increase now amounted to 30,000; and he must remark, that the several acts of parliament which had been passed on this subject, justified him in expressing a doubt, whether by the old law the King was authorised to employ foreigners in his army. The 34th Geo. III. empowered the King to enlist foreigners, subjects to the late King of France. The 39th and 40th enabled his Majesty to receive into his pay certain Dutch ships, and to give commissions to Dutch officers. If, then, it was necessary that the authority of Parliament should have been asked on these occasions, it was a strong presumption that no such power existed in the King by the old law of the land. On this subject, however, he would state no opinion, but must look with all the anxiety felt by our ancestors on the great increase of foreign troops. If these troops were to be called home into this country from that service in which they were now, no doubt, most meritoriously engaged, he supposed, indeed, that the House would be required to pass an indemnity on those who should advise the measure; but he, himself, could not be pleased at the prospect of an army of 30,000 foreigners residing in this country. They were, in fact, a complete army; consisting of cavalry, infantry, artillery, engineers, and a general staff, together with the whole equipment which forms an army. The 46th of the King did not justify the employment of foreigners to such an extent. That act enabled his Majesty to employ foreign officers in foreign corps, because it was justly thought, that the discipline and comfort of soldiers would be promoted by the superintendence of officers speaking the same language, and professing the same habits. This, however, he conceived, did not justify the delegation to them of the authority of Generals; and he was quite sure, that it did not authorise the appointment of German Generals to the staff in this country. He had examined the army



list, and found that there was one (Baron Linsengen) who had the command in the Eastern district, not only over German troops, but over British, and among others, over the Prince's regiment. There were several other appointments of foreign officers, some in Kent, and some in Ireland. He was aware that there was no express Act of Parliament forbidding such appointments, but he would prove from one instance, how great a contempt of law had been exhibited. There was a corps (the 60th regiment) which was allowed to be filled up by foreigners. An Act had passed in the 29th year of Geo. II. which permitted foreign Protestants, who had resided several years in this country, to be employed to officer the corps raised in Maryland and Pennsylvania, the inhabitants of which were Quakers: to these, after taking the proper oaths, commissions were given. But the case was widely different from the present. They were for the defence of America, and not of our own country. They had resided seven years in the kingdom, and were Protestants; their number amounted only to 50, the number of engineers to 20; and it was expressly ordered, that they should be commanded by a native officer,—not by a foreigner, though made a denizen, or naturalized. After some years, on account of the good conduct of this corps, it was enacted by the 3d Geo. III. that officers who had served two years in this corps should be considered as natural subjects; still they were to have no places of trust. The 39th and 40th of the King did away these restrictions and limitations, with one exception, which was, that those officers should not serve except in America. In direct violation, however, of this provision,—in the very teeth of the statute,—he found that an officer (*Baron Rottenburgh*) who belonged to this regiment, had at different times been vested with several staff appointments in this country: that he had under him a staff-officer, a foreigner; and that there was now at the foreign depot at Lymington, a staff officer of this regiment. The first mentioned officer was, indeed, at present employed in Canada, and did not, therefore, now come under his objection; but he had heretofore been frequently employed contrary to the tenour of the above statute.—He now came to foreigners employed in our own native corps. He had heard a case of a young Gentleman who several years ago had applied for admis-

sion into one of our native regiments, and though every way qualified for the military profession, was rejected from a jealousy which appeared to his (Lord F.'s) mind perfectly just. All such jealous feelings and scruples had, however, now subsided: there was scarcely a Gazette which did not state the promotion of some foreign officer into one of our own corps. The Gazette of last week, for instance, contained the appointment of a German Officer (a *Col. Zuentin*) to a commission in the 10th Hussars. Ought our troops so to be Germanized? Too much endeavour was made to this effect, by the introduction of German officers and men too. He had heard that great numbers of German prisoners were taken out of confinement, and sent to fill up the ranks of different regiments; and had heard at the same time, what he hoped was utterly unfounded, that in the 10th regiment of Dragoons, into which Germans were unhesitatingly admitted, there existed a regulation *to admit no Irishmen*. He had seen in the Nottingham papers lately, that orders were issued to the military to disperse any persons whom they saw congregated for a felonious purpose, without waiting for farther directions from the Magistrates; he would say nothing of the capacity of soldiers to form a discriminating opinion concerning felonious intention: he understood that the Magistrates had acted on the authority of the doctrine laid down by Lord Mansfield at the time of the riots, that the character of the citizen was not merged in that of the soldier; and that, therefore, soldiers as citizens might immediately abate a riot. But how did this apply to Germans, should such an order have been issued to troops composed of foreigners? It was, indeed, the wise policy of our ancestors, that the soldier should be separated as little as possible from the citizen, and for that reason no barracks were established. How much must their wise jealousy on this head have been increased, if they could have seen whole depots of foreigners, who have no habits, no opinions, no sentiments of liberty in common with themselves! The noble lord then alluded to the late argument in the Exchequer Chamber, in the case of Sir Francis Burdett, where the counsel who complained that the warrant of the Speaker was enforced by a troop of dragoons, was interrupted by the Chief Justice of the Common Pleas, who stated, that the old prejudices on this head were



exploded, and recognised the doctrine of Lord Mansfield that a soldier was still a citizen. The noble lord then adverted to the case of the men lately tried and convicted at Horsemonger lane: he did not say that they were not properly tried and condemned, or that it would not be just to execute them; still he thought that it would be monstrous to hang our own subjects for desertion, at the very time when we were employing every lure to entice foreigners to enter our service. Before he concluded, he could not omit mentioning the recent appointment of Count Munster (though it was not immediately connected with the present subject) to manage the property of the King. His Majesty had been empowered by Act of Parliament to purchase freehold and other description of property: how far this was consistent with the constitution was no part of the present argument: the taxes of this property were ordered to be paid out of the Civil List. Three Commissioners had been appointed,—Master Simeon, Count Munster, and Col. Taylor. He was not much of a lawyer, but the mass of lawyers on the other side must surely know that an alien could not purchase lands. On this, however, he would say nothing; but would mention merely, that the taxes arising out of this property must be paid out of the Civil List, now in the hands of the Regent; and, moreover, it should be remembered that this commission, of which the German Count was part, were sworn to secrecy. He would merely ask whether these circumstances, together with the existence of a German corps, a German army in our service, were not sufficient to awaken all the jealousy felt by our ancestors? The noble lord concluded by moving for returns of all persons born out of England, Scotland, and Ireland, not of British parents, who were employed in the British forces except in the foreign corps.

COLONEL PALMER, in a very low tone of voice, bore testimony to the merits and services of the German Officer who had been principally alluded to (*Col. Quentin.*)

Sir JOHN SEBRIGHT thought, that in consideration of our population, it might not be improper to have foreigners in our service; but then there were proper regiments appointed for foreigners to enlist in. British troops could always be depended upon without foreign officers; and he thought it would rather tend to break down their spirits to have foreign officers put over their heads.

LORD PALMERSTON said, that he was always ready to meet the general question about the propriety of enlisting foreigners in our service, in the present situation of Europe. At present, however, the question turned on the Acts of the 44th and the 46th of the King, and he could hardly conceive that the Noble Lord (Lord Folkestone) had read those acts with attention, or it would hardly seem possible to him that he should have put such a construction on them. The Act of the 46th, respecting the enlistment of foreigners, expressly says, "that it shall be lawful for such persons to enlist as soldiers in the army, and accept commissions: and also, that it shall be lawful to grant such commissions, provided always that such officers should not be entitled to half-pay on the reduction of the regiment in which they held commissions." It being, therefore, lawful to give commissions to such officers, why should they be prevented, if they displayed military talents, from rising in time, so as to belong to the staff either abroad or at home? The officer who had been alluded to did not command the Eastern district, but commanded only at the depot of the German Legion. He saw nothing in this contrary to the provisions of the Act by which the 60th Regiment was raised. As to the argument of soldiers not losing their quality of citizens, because they were soldiers, or the impropriety of German soldiers interfering in the suppression of riots, or prevention of felonies, he would say, that any foreigner residing in this country, not being a soldier, would have a most undoubted right to interfere in preventing the commission of a felony. The Noble Lord had dwelt a good deal on the Act of Settlement, but that act was passed under feelings very different from those which now prevail. At that time, when the revolution had been recently effected, and there were not 20,000 native troops, it was natural to feel some jealousy towards a foreign King, and some fear that he would be naturally partial to those troops, and might use them against the liberties of the country. He believed that no man alive could entertain any such jealousies or fears at the present day. The situation of affairs at home and abroad were very different from what it was in those days. There were many who conceived that we should take lessons from the military policy of Buonaparté: but did he hesitate to take foreigners into his service? Did not he, on



the contrary, force the Spaniards into Denmark, and the Italians and Germans into Spain? Did he not make the population of the countries he conquered the chief instrument of farther conquests? To follow his example, or indeed to act with prudence in the present state of Europe, we, too, should not refuse the aid of foreigners, especially of those who have a common cause with us. The feelings of the country had changed very much on this subject in the course of the last century. No man could now apprehend danger to our liberties from a foreign force, which by law cannot exceed 16,000 men, and of which, in fact, the greater part were always on foreign service. Those prejudices, which might be very right above a century ago, would now be misplaced. There would certainly be some objection to a return of the names of officers, as many of them had connections abroad who might be brought into jeopardy; but as to the mere numbers, he saw no such objection. As for the few individuals who were scattered in other corps, they were hardly worth speaking of.

SIR JOHN NEWPORT was surprised that the Noble Lord (Lord Palmerston) could have understood the Act of the 44th of the King, in the manner that he had stated it. He then read the preamble of that Act, which dwelt entirely on raising foreign regiments and battalions, and giving commissions to the Officers serving therein; and from this preamble, which was always considered the key of a statute, he inferred, that it was impossible that the law could have contemplated the giving commissions to foreigners, except in those foreign battalions or regiments. If they might enlist in any number in our other regiments we might, in time, have a German army instead of an English army. When the great Lord Chatham came to the administration, he found this country relying on foreign troops for its protection; but it was his pride and glory to send away those foreigners, and teach Englishmen to depend upon their own courage for their defence. In so doing, he added considerably to the strength of the country, instead of weakening it.

MR. COURTENAY maintained, that the times were so completely changed since the passing of the Act of Settlement, that those jealousies which might then have been reasonable were now absurd.

SIR FRANCIS BURDETT was at a loss to know in what manner he should address

the House upon this subject. All the sentiments which he hitherto supposed incontrovertible—all the maxims most revered by our ancestors, were now, as it should seem, exploded, and considered obsolete. He felt himself so deficient in the modern lore of constitutional doctrine, that he should be obliged to recur to the obsolete notions of our ancestors upon this subject. In this new era he was hardly surprised that some gentlemen should have imagined that the jealousy of foreign troops was a feeling only excited in our ancestors by the circumstances of the revolution; but he was prepared to shew the Noble Lord (Lord Palmerston) that this was not the case; but that, however obsolete it might now seem, it was an ancient genuine English feeling, coeval with our constitution. He would trace this feeling much farther back than the date of the Act of Settlement; and in one of those obsolete Acts from which he drew his ideas of the constitution, he meant Magna Charta, it would be found, that there was such a jealousy of about 2,000 foreign troops in the service of the King, that this was one of the special grievances which the people, in open arms against their sovereign, required and insisted should be redressed, and the foreigners were consequently discharged. If we came down to the great era of struggle and difficulty, the reign of the Stuarts, and particularly of Charles I.—if we looked at the history and the debates of the year 1641, we should find that the employment of foreign troops was one of the principal charges made against that King, who, by the courtesy of the present day, was called the Martyr, but who appeared to him to be a martyr to nothing but his own pertinacity, and love of power. In talking of the difficulties of the present times, it was the custom to exaggerate greatly the power of the enemy with whom we are contending, and to underrate the means of defence which the native spirit of the country is capable of furnishing. He believed, indeed, that the war in which we are now engaged was unjust in its beginning; and that it was conducted with so little ability, that it had been unfortunate in its results; but he did not think that the country was reduced to the necessity of looking to foreign troops for its defence. He thought that the period of the reformation in the reign of Queen Elizabeth was a period of at least as much difficulty and danger as the present time. That Sove-



reign had to contend with enemies comparatively more powerful. While she was attacked by the Spanish Monarchy, then in the height of its power, the family of the Guises, who then ruled France, were also her enemies. Ireland was in a state still more disturbed than she is at present; and Scotland was separated from England. Although all those powers were directed against England alone, Queen Elizabeth did not appeal to foreigners for the defence of the realm; but by enlisting the hearts of the people of England on her side (*hear, hear,*) she was able with them alone to triumph over all her enemies, and surmount all her difficulties. She not only triumphed over her enemies, but set a bright example to her successors, as to the means by which this country could best be defended. He certainly did not apprehend any particular danger from the German mercenaries now in our pay. He thought much more danger was to be apprehended to our liberties from a few mercenaries in that House, than from double the number of German mercenaries with their pistols and their swords. He thought, however, that it must naturally be galling to English troops to be commanded by German Officers, and he particularly objected to such Officers having the command of English districts. If the law allowed foreigners of every description to take commissions and promotions in our army, why did it not allow it to Irishmen? If they said that they could not trust the Irish with arms, then he must say, that in winning the hearts of that people, and in enlisting the affections of four millions of our own people, much more strength would be added to the empire, than could be derived from those foreign troops. (*Hear, hear.*) Now as to the Act of Settlement, Gentlemen talked a great deal about the constitution, and were always mentioning the constitution without seeming to know well what it was, or where it was to be found. It appeared to him that the Act of Settlement was one of the principal acts in which the constitution is to be found. This was the compact between the Crown and the People, which placed the present family on the throne, and the provisions of it ought not to be slightly spoken of. As to the immorality of enlisting foreigners from out of the prisons, he would only say, that

he could not reconcile this conduct of the Government with their prosecuting for high treason those men whom the enemy enlisted from their prisons in the Isle of France. He certainly thought that it was a most strained and unnatural construction of the law of high treason, to consider the enlisting into the French service, under such circumstances, in a remote corner of the world, as conspiring the death of the King. But if we thought that we had a right to execute such men as traitors, why should we inveigle foreigners who are in our prisons to join our army? If those who professed great love for the constitution would, instead of throwing away the first principles of it, labour to do away the grievances and abuses of which the country complains, they would be doing the most effectual thing to strengthen the defence of the nation. He could not see the great difficulty in making the returns that were asked for. As to the names of the officers, he believed they were already to be found in the Army List, and therefore he could not see that their relations could be brought into any more danger by granting the returns.

The CHANCELLOR OF THE EXCHEQUER did not think that the present question, if Gentlemen chose to confine themselves to it, did embrace a great variety of topics. If the law of the 44th and 46th of the King, by which those regiments were raised, were improper, the motion should have been for the repeal of those acts. As this was not, however, the present motion, he would only say, that whatever might be the policy of those laws, the fair construction of them allowed foreigners to accept commissions in our service, and authorised his Majesty to grant such commissions. As to the old constitutional law which had been so much spoken of, the Act of Settlement was not in this point to have effect until a considerable time after its passing, and until the Crown descended to a foreign head. However the circumstances of the present times differed from those under which that Act was passed, he was ready to allow, that by the law, except in the parts which were repealed by the two statutes of the 44th and 46th of the King, it was unlawful to introduce foreign troops into this country.

(*To be continued.*)